

## United States Patent and Trademark Office



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

# NOTICE OF ALLOWANCE AND FEE(S) DUE

33771

7590

10/19/2004

PAUL D. BIANCO: FLEIT, KAIN, GIBBONS, GUTMAN, BONGINI, & BIANCO P.L. 601 BRICKELL KEY DRIVE, SUITE 404 MIAMI, FL 33131 EXAMINER

ROBERT, EDUARDO C

ART UNIT

PAPER NUMBER

3732 DATE MAILED: 10/19/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007.360	10/29/2001	Peter M. Bonutti	BON-4250-1	3765

TITLE OF INVENTION: METHOD OF SECURING TISSUE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$685	\$300	\$985	01/19/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED</u>. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

#### PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for an 33771 7590 10/19/2004	y change of address)	Note: A ce	ertificate of m	ailing can only be used for	or domestic mailings of the		
33771 7590 10/19/2004	CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)				Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must		
10.13.200	have its ow	papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.					
PAUL D. BIANCO: FLEIT, KAIN, GI GUTMAN, BONGINI, & BIANCO P.L. 601 BRICKELL KEY DRIVE, SUITE 404	·	I hereby co States Post addressed transmitted	Certify that this tal Service wit to the Mail S	Ficate of Mailing or Trans Fee(s) Transmittal is bein sufficient postage for fir Stop ISSUE FEE address 0 (703) 746-4000. on the c	smission g deposited with the United st class mail in an envelope above, or being facsimile date indicated below.		
MIAMI, FL 33131			<u> </u>	5 (705) 7 to 1000, on all 0	(Depositor's name)		
				-	(Signature)		
					(Date)		
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nonprovisional YES	\$685	.\$300		\$985	01/19/2005		
EXAMINER	ART UNIT	CLASS-SUBC	CLASS				
ROBERT, EDUARDO C	3732	606-07200	000				
1. Change of correspondence address or indication of "Fee CFR 1.363).  Change of correspondence address (or Change of Condition of Tee CFR 1.363).  The change of correspondence address (or Change of Condition of Tee Change of Condition of Tee Address Indicating PTO/SB/47; Rev 03-02 or more recent) attached. Use on Number is required.  3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PLEASE NOTE: Unless an assignee is identified belong recordation as set forth in 37 CFR 3.11. Completion of CA) NAME OF ASSIGNEE	on form (2) the nor agents on form (2) the nor registere. 2 registere listed, no PRINTED ON THE PATEN ow, no assignee data will ap this form is NOT a substitut  (B) RESIDEN	pear on the patent. e for filing an assignr ICE: (CITY and STA	(having as a n and the names or agents. If no d.  If an assignee ment.  ATE OR COUN	nember a 2 s of up to 3 e is identified below, the contrary	document has been filed for		
4a. The following fee(s) are enclosed:	4b. Payment o		iduai — Corp	poration of other private gr	oup entry — covernment		
☐ Issue Fee	′	A check in the amount of the fee(s) is enclosed.					
☐ Publication Fee (No small entity discount permitted	) Paymer	Payment by credit card. Form PTO-2038 is attached.					
Advance Order - # of Copies	The Di Deposit Ac	The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).					
5. Change in Entity Status (from status indicated above)  a. Applicant claims SMALL ENTITY status. See 37	CFR 1.27.	icant is no longer cla	aiming SMALL	ENTITY status. See 37 C	FR 1.27(g)(2).		
The Director of the USPTO is requested to apply the Issue NOTE: The Issue Fee and Publication Fee (if required) will interest as shown by the records of the United States Paten	Fee and Publication Fee (if a ll not be accepted from anyout and Trademark Office.	any) or to re-apply anne other than the appl	ny previously policant; a regist	paid issue fee to the application application or to the application of	ation identified above. he assignee or other party in		
Authorized Signature			Date		·		
Typed or printed name		1	Registration N	lo			
This collection of information is required by 37 CFR 1.311 an application. Confidentiality is governed by 35 U.S.C. 1 submitting the completed application form to the USPTO this form and/or suggestions for reducing this burden, sho Box 1450, Alexandria, Virginia 22313-1450. DO NOT SI Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons a							



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	NGINI, & BIANCO P.L. . KEY DRIVE, SUITE 40		ART UNIT	PAPER NUMBER
MIAMI, FL 331			3732	
			DATE MAILED: 10/19/200-	4

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 275 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 275 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



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601 BRICKELL KEY DRIVE, SUITE 404		ART UNIT	PAPER NUMBER	
MIAMI, FL 3313	•		3732	<u> </u>

DATE MAILED: 10/19/2004

#### Notice of Fee Increase on October 1, 2004

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2004, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" because some fees will increase effective October 1, 2004. See Revision of Patent Fees for Fiscal Year 2005; Final Rule, 69 Fed. Reg. 52604, 52606 (May 10, 2004).

The current fee schedule is accessible from WEB site (http://www.uspto.gov/main/howtofees.htm).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in view of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowance is to be filed on or after October 1, 2004 (or mailed with a certificate of mailing on or after October 1, 2004), the issue fee paid should be the fee that is required at the time the fee is paid. See Manual of Patent Examining Procedure (MPEP), Section 1306 (Eighth Edition, Rev. 2, May 2004). If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously-paid issue fee should be paid. See MPEP Section 1308.01.

Effective October 1, 2004, 37 CFR 1.18 is amended by revising paragraphs (a) through (c) to read as set forth below.

Section 1.18 Patent post allowance (including issue) fees.

(a) Issue fee for issuing each original or reissue patent, except a design or plant patent:

(c) Issue fee for issuing a plant patent:

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.